

## **REMARKS**

### **I. Introduction**

With the cancellation herein without prejudice of claim 1, claims 2 to 9 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Objection to the Specification**

The Specification was objected to as allegedly failing to provide sufficient antecedent basis for the recitation of "wherein an offset is stored as long as a corresponding position of the piezoelectric elements (10, 20, 30, 40, 50 and 60) is not used" in claim 9. While Applicants do not agree with the merits of this objection, to facilitate matters, the Specification has been amended herein to include express antecedent basis for the subject matter recited in claim 9. No new matter has been added. Withdrawal of this objection is therefore respectfully requested.

### **III. Objection to Claims 5 and 6**

As regards the objection to claims 5 and 6, the Examiner will note that claims 5 and 6 have been amended herein without prejudice to change "the offset" to --an offset--. It is therefore respectfully submitted that this objection has been obviated, and withdrawal of this objection is respectfully requested.

### **IV. Allowable Subject Matter**

Applicants note with appreciation the indication of allowable subject matter contained in claims 2, 5 and 6. In this regard, the Examiner will note that claim 2 has been rewritten herein in independent form to include all of the limitations of its base claim, i.e., claim 1. It is therefore respectfully submitted that claim 2 is in condition for immediate allowance. As regards claims 5 and 6, as indicated above, claims 5 and 6 have been amended herein without prejudice to obviate the objection raised. It is therefore respectfully submitted that claims 5 and 6 are also in condition for immediate allowance.

Applicants note with appreciation the indication that claims 3, 4 and 7 to 9 are allowed.

**V. Rejection of Claim 1 Under 35 U.S.C. § 102(b)**

Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by German Published Patent Application No. 196 52 807. While Applicants do not agree with the merits of this rejection, to facilitate matters, claim 1 has been canceled without prejudice or waiver, thereby rendering moot the present rejection. Withdrawal of this rejection is therefore respectfully requested.

**VI. Conclusion**

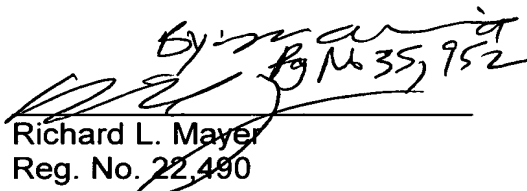
It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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